IN THE UNITED STATES BANKRUPTCY COURT FOR THE SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION



03/13/2017

In re: \$ CASE NO. 16-32525

T&H Plastics, Inc. \$ Chapter 11

ORDER CONFIRMING DEBTOR'S PLAN OF REORGANIZATION AND DISCLOSURE STATEMENT

Came on for consideration the Debtor's Plan of Reorganization (Docket # 67) pursuant to 11 U.S.C. §1129, and the Debtor's Disclosure Statement (Docket # 66) pursuant to 11 U.S.C. §1125. After hearing evidence, the Court finds as follows:

- 1. The Disclosure Statement, the Plan, and a ballot for accepting or rejecting the Plan, have been transmitted to all creditors and parties in interest.
- 2. Notice of the hearing on confirmation of the Plan and final approval of the Disclosure Statement has been given in accordance with Title 11, United States Code, the Order of this Court, and the Federal and Local Rules of Bankruptcy Procedure.
- 3. The Disclosure Statement (Docket # 66) is approved. The Plan as set out in Exhibit "A" complies with all applicable provisions of the Bankruptcy Code and applicable Bankruptcy Rules relating to confirmation. The Plan and all provisions thereof are hereby approved and confirmed in all respects except as modified below.

It is therefore:

ORDERED and ADJUDGED that:

- 1. The Amended Disclosure Statement is APPROVED
- 2. The Plan, which is set out as Exhibit "A" hereto is hereby CONFIRMED under

- 11 U.S.C. §1129(a) with the following change(s):
- a) The Class 3 claim of Iberia Bank is an allowed claim and will be paid a total of \$63,200.16 with no interest as follows: (i) Months 1-12 at \$600.00 per month; (ii) Months 13-30 at \$3,111.12; and
- b) The Class 2 claim of IberiaBank is an allowed claim and will be paid as provided for in the Class 2 of the Plan.
- 3. The Plan does not impair, diminish or otherwise impact the existing personal guarantees of the IberiaBank indebtedness. IberiaBank has reached a written agreement with the guaranters of the IberiaBank indebtedness regarding their guarantee obligations.
- 4. In accordance with Section 1142 of the United States Bankruptcy Code, the Debtor is authorized and directed, without the necessity of any further approval, to immediately take any action necessary or appropriate to implement, effectuate, and consummate the Plan and any transactions contemplated thereby or by this Order in accordance with their respective terms.
- 5. Reorganized Debtors shall timely pay post-confirmation quarterly fees assessed pursuant to 28 U.S.C. §1930(a)(6) until such time as this Bankruptcy Court enters a final decree closing this Chapter 11 case, or enters an order either converting the case to a case under Chapter 7 or dismissing this case. After confirmation, Reorganized Debtors shall file with the Bankruptcy Court and shall serve on the United States Trustee a financial report for each quarter, or portion thereof, that this Chapter 11 case remains open in a format prescribed by the United States Trustee.
- 6. It is further ORDERED that a claim that was paid, in whole or in part, by an unavoidable post-petition payment, is reduced as an allowed claim to be paid under the plan by the amount of the unavoidable post-petition payment.

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SIGNED: 3-13-17

KAREN K. BROWN UNITED STATES BANKRUPTCY JUDGE